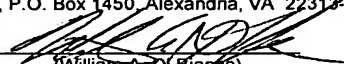




I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 23, 2009 Signature: 

(William A. DiBianca)

**EXPEDITED PROCEDURE**

Group Art Unit: 3738

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON I

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Errico et al.

Application No.: 10/663,493

Filed: September 16, 2003

For: INTERVERTEBRAL SPACER DEVICE  
HAVING AN ANGLED PERIMETER  
FORMANIPULATION USINGA SURGICAL  
TOOL

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: Group Art Unit: 3738  
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: Examiner: B. E.  
: Pellegrino  
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AMENDMENT UNDER 37 CFR 1.116

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated September 18, 2008, finally rejecting claims 1-8, 10-20 and 22, please amend the above-identified U.S. patent application as follows: